

103^D CONGRESS
1ST SESSION

H. R. 3042

To prohibit discrimination in contracting with potential contractors and sub-contractors in federally funded construction projects on the basis of certain labor relations policies of the potential contractors and sub-contractors.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 1993

Mr. PAXON (for himself, Mr. BALLENGER, and Mr. RAMSTAD) introduced the following bill; which was referred to the Committee on Government Operations

A BILL

To prohibit discrimination in contracting with potential contractors and subcontractors in federally funded construction projects on the basis of certain labor relations policies of the potential contractors and subcontractors.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Construction
5 Equity Act of 1993”.

1 **SEC. 2. CONSIDERATION OF CERTAIN LABOR RELATIONS**
2 **POLICIES OF OFFERORS ON CONSTRUCTION**
3 **CONTRACTS.**

4 (a) PROHIBITION.—The Office of Federal Procure-
5 ment Policy Act (41 U.S.C. 401 et seq.) is amended by
6 adding at the end the following new section:

7 “PROHIBITION REGARDING CONSIDERATION OF CERTAIN
8 LABOR RELATIONS POLICIES OF OFFERORS ON CON-
9 STRUCTION CONTRACTS

10 “SEC. 29. (a) Notwithstanding any other provision
11 of law, no person may be denied a contract or subcontract
12 described in subsection (b), or participation in such a con-
13 tract or subcontract, in whole or in part on the basis of
14 that person’s policy regarding entering into or adhering
15 to a collective bargaining agreement or any similar agree-
16 ment.

17 “(b) Subsection (a) applies to a construction contract
18 entered into by an executive agency, a contract for any
19 other construction funded in whole or in part with funds
20 provided by the Federal Government, and any subcontract
21 under such a contract.

22 “(c) The Federal Acquisition Regulation shall include
23 provisions for the enforcement of the prohibition in sub-
24 section (a).

25 “(d) For the purposes of this section, the term ‘con-
26 struction’ includes rehabilitation, alteration, conversion,

1 extension, and repair of buildings, highways, or other im-
2 provements to real property.”.

3 (b) DEFINITION.—Section 4 of such Act (41 U.S.C.
4 2302) is amended—

5 (1) by striking out “and” at the end of para-
6 graph (10);

7 (2) by striking out the period at the end of
8 paragraph (11) and inserting in lieu thereof “; and”;
9 and

10 (3) by adding at the end the following new
11 paragraph:

12 “(12) The term ‘Federal Acquisition Regula-
13 tion’ means the Federal Acquisition Regulation is-
14 sued pursuant to section 25(c)(1).”.

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